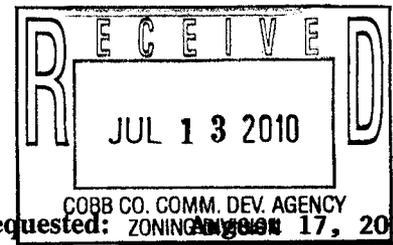


# Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: August 17, 2010



5

**Applicant:** Pope & Land Enterprises, Inc. Phone #: (770) 980-0808  
(applicant's name printed)

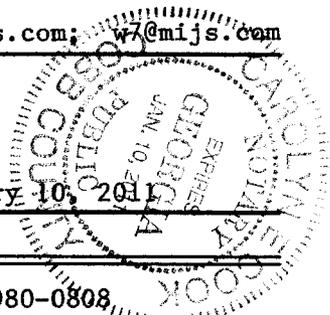
**Address:** Suite 400, 3225 Cumberland Boulevard, **E-Mail:** \_\_\_\_\_  
Atlanta, GA 30339

**Moore Ingram Johnson & Steele, LLP** Atlanta, GA 30339  
**John H. Moore** **Address:** Emerson Overlook, 326 Roswell Street  
(representative's name printed) Marietta, GA 30060

**BY:** [Signature] Phone #: (770) 429-1499 **E-Mail:** jmoore@mijs.com; w7@mijs.com  
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:

[Signature] My commission expires: January 10, 2011  
Notary Public



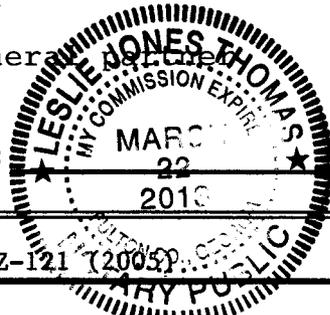
**Titleholder(s):** Cumberland Stillhouse, L.P. Phone #: (770) 980-0808  
(property owner's name printed)

**Address:** Suite 400, 3225 Cumberland Boulevard, **E-Mail:** \_\_\_\_\_  
Atlanta, GA 30339

**BY:** [Signature]  
(Property owner's signature) Lawrence P. Kelly, President  
Pope & Land Enterprises, Inc., general partner

Signed, sealed and delivered in presence of:

[Signature] My commission expires: \_\_\_\_\_  
Notary Public



**Commission District:** 2 **Zoning Case:** Z-121 (2005)

**Date of Zoning Decision:** 02/21/2006 **Original Date of Hearing:** 07/19/2005  
12/16/2008 (OB); 03/17/2009 (OB)

**Location:** Southwest corner of Cumberland Boulevard and Stillhouse Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 949, 950, 977 **District(s):** 17th

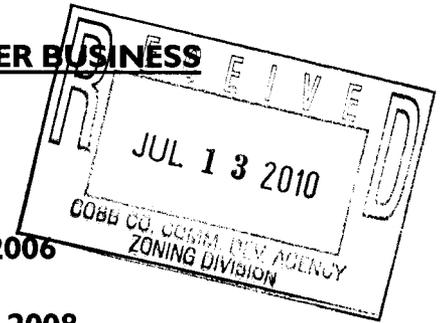
**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Exhibit "A" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS  
(STIPULATION AMENDMENT)**

**Application No.:** Z-121 (2005)  
**Original Hearing Date:** July 19, 2005  
**Date of Zoning Decisions:** February 21, 2006  
**"Other Business"**  
**Hearing Dates:** December 16, 2008  
March 17, 2009  
**Current Hearing Date:** August 17, 2010



**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant:** Pope & Land Enterprises, Inc.  
**Property Owner:** Cumberland Stillhouse, L.P.

Applicant requests amendments to certain stipulations and conditions for the development known as "Stillhouse Ridge," approved through the rezoning process by the Board of Commissioners on February 21, 2006, and as amended by the Board of Commissioners on December 16, 2008, and March 17, 2009; as well as by minor amendment by the District Commissioner on November 9, 2006. The requested amendments are as follows:

- (1) Deletion in its entirety of subparagraph (b) of Exhibit "A," "Floor Plans and Interior Finishes," attached to letter of agreeable stipulations and conditions dated February 1, 2006, which reads as follows:
  - (b) Gas burning fireplaces as an upgrade;Said paragraph shall be replaced as follows:
  - (b) Gas, electric, wood-burning, or decorative fireplaces as an upgrade in two- and three-bedroom units on top floor.
- (2) Deletion in its entirety of subparagraph (m) of Exhibit "A," "Floor Plans and Interior Finishes," attached to letter of agreeable stipulations and conditions dated February 1, 2006, which reads as follows:
  - (m) Garden tubs with separate showers.
- (3) Amendment to paragraph 3(a) of the supplemental letter of agreeable stipulations and conditions dated February 15, 2006, which reads as follows:
  - (a) All residential condominium units shall have ceiling heights of ten (10) feet;

Said paragraph shall be amended as follows:

- (a) All residential condominium units shall have ceiling heights of ten (10) feet; excepting residential units located in Building "E" shall have ceiling heights of 9 feet 8 inches.
  
- (4) Pursuant to the revisions made by the Board to the February 1, 2006, stipulation letter, specifically subparagraph (4) of Section B. "Residential Leased Community," as more particularly set forth in the official minutes of the Board of Commissioners Zoning Hearing held on February 21, 2006, the minimum square footage of residential leased units was established as "not less than 950 rental square feet." It is requested the minimum square footage of one (1) unit, Unit 1131, located in Building "D," be reduced from 950 rental square feet to 835 square feet. This unit configuration is impacted by the location of the meter bank.

The proposed amendments presented herein in no way adversely impact or affect surrounding properties or property owners. If the requested revisions are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the overall Subject Development.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on February 21, 2006, in Application No. Z-121 (2006), and the Applications for "Other Business" held on December 16, 2008, and March 17, 2009; as well as the minor amendment approved by the District Commissioner on November 9, 2006, or any other approvals related to the specific zoning or the "Stillhouse Ridge" development, are unaltered or unchanged by the stipulation amendments requested herein.